

SHORELINE DEVELOPMENT

Goals

Provide for Water Dependent and Water Related Uses. Provide for needed water dependent and water related uses on or near tidelands (see definition of "Tidelands" in Appendix A).

Coordination with Non-State Landowners. Coordinate the use of tidelands with that of private and other public land owners to provide for the optimal use, development, and protection of the resources, and to prevent encroachment on adjacent private lands.

Management Guidelines

A. Solid Breakwater, Jetty, or Causeway Design. Solid breakwaters, jetties, or causeways will, to the extent feasible and prudent, be designed to minimize impacts on fish migration and other important life stages and activities of the fish, including spawning and rearing. The design should optimize flushing to avoid concentration of pollutants.

B. Pilings Preferable to Fill. Pilings will, to the extent feasible and prudent, be used instead of fill for all shoreline development (shoreline development is defined in Appendix A). Pilings will, to the extent feasible and prudent, be:

- dug or driven and not jetted
- treated and adequately cured before use
- spaced to allow for free flow of tidal currents, longshore currents, and littoral drift

C. Siting Breakwaters, Jetties, Causeways, Harbors and Marinas. Breakwaters, jetties, causeways, harbors, and marinas should be sited and designed to minimize alteration of natural circulation and mixing patterns of water, longshore sediment and nutrient transport, and fish and wildlife migratory movements.

Harbors and launch ramps adjacent to public uplands should be sited where upland demands, such as parking, support facilities, and increased traffic flow can be accommodated.

D. Use of Bulkheads. Bulkheads should be permitted only for the purpose of erosion control or to reduce the size of fills required for water-dependent uses.

E. Bulkhead Design. When a bulkhead is necessary, it should be designed to:

- facilitate flushing
- minimize toe scour
- allow for outward ground water flow or runoff
- prevent fines from washing away, if fines are included in fill material

F. Permanent Fuel Storage. Permanent fuel storage facilities should not be located on docks. Fuel storage structures which are located on state uplands adjacent to tidelands or wetlands will have a physical barrier to prevent the flow of oil into coastal wetlands and tidelands.

G. Temporary Berms, Pads, or Ramps. Temporary berms, pads, or ramps constructed of beach gravels and sands should be restored to blend with original contours after the temporary access is no longer required, unless removal or restoration would cause more damage than leaving the berm, pad or ramp in place.

H. Public Access Adjacent to Water Bodies. Permits, leases, and plans of operation for commercial and industrial uses, transportation facilities, pipelines and other uses may be authorized on state uplands adjacent to tidelands if their activities are consistent with the management intent for the area and if they can maintain tideland access and protect adjacent fish habitat, public water supplies, and public recreation.

Where feasible and prudent, there should be setbacks between these activities and adjacent tidelands. The width of this setback may vary depending upon the type and size of the use, but will be adequate to maintain public access to and along tideland areas and adequate to protect water quality in accordance with DEC water quality standards. For non water-dependent uses, this setback to the extent feasible, should

never be less than 100 feet landward of mean high tide.

Where it is not feasible and prudent to maintain a setback adjacent to tidelands, other measures will be implemented to meet the intent of this guideline.

I. Clean-up Bonds. A site clean-up deposit should be required of tideland facilities that have the potential to create significant impacts if abandoned or improperly cleaned up.

J. Avoid Conflicts with Traditional Uses of Resources. See *Subsistence Activities and Traditional Uses*, Guideline A, page 2-43.

K. Other Guidelines That Affect Shoreline Development. A number of other guidelines will affect shoreline development activities. See the following sections of this chapter:

- Coordination and public notice
- Fish and wildlife habitat
- Public access
- Public and commercial recreation
- Subsistence activities and traditional uses
- Transportation and utilities